

Mr. Yogesh D. Katira a/w. Mr. Sanjay P. Shinde for Petitioner.
Mr. Nitin R. Shah for Respondent.

P.C. :

2. By this Petition under Article 227 of the Constitution of India, petitioner has challenged the order dated 11.04.2016 passed by the learned District Judge-8, Thane below exhibit-6 in Marriage Petition No.33 of 2015. By that order, the learned trial Judge directed the petitioner herein to pay interim maintenance of Rs.10,000/- from the date of filing of the application till the final hearing and disposal of the Marriage Petition.

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for review / modification of the impugned order. He assures that within one week from today, he will file necessary proceedings for review / modification of the impugned order. He submitted that the present Petition is instituted in this Court on 09.05.2016. In view thereof, time spent by the petitioner in prosecuting this Petition from 09.05.2016 till today may be excluded while considering the application for condonation of delay.

4. On the motion made by Mr. Katira, Petition is allowed to be withdrawn with liberty as prayed for. If the petitioner files application within one week from today for review / modification of the impugned order, the time spent by the petitioner from 09.05.2016 till date shall be excluded while considering the aspect of condonation of delay. It is made clear that I have not examined the merits of the case. All contentions of the parties on merits are expressly kept open. Learned Counsel for the parties assure that parties will extend full co-operation for disposal of the interlocutory applications as also main proceedings. Liberty to apply for expeditious disposal of the main proceedings. Order accordingly.

(R. G. KETKAR, J.)

Minal Parab